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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/629,286	07/29/2003	Patrick D. McCusker	03CR166/KE 5711		
7590 11/17/2005			EXAMINER		
ROCKWELL COLLINS, INC.			BROADHEAD, BRIAN J		
Attention: Kyle Eppele M/S 124-323		ART UNIT	PAPER NUMBER		
400 Collins Rd. NE			3661		
Cedar Rapids, IA 52498			DATE MAIL ED. 11/17/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

## Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/629,286	MCCUSKER ET AL.		
Examiner	Art Unit		
Brian J. Broadhead	3661		

	Brian J. Broadhead	3661	
The MAILING DATE of this communication appe	ars on the cover sheet with the d	orrespondence add	ress
THE REPLY FILED 13 October 2005 FAILS TO PLACE THIS A	PPLICATION IN CONDITION FOR	R ALLOWANCE.	
<ol> <li>The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:</li> <li>The period for reply expires 3 months from the mailing date b)</li> <li>The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire to Examiner Note: If box 1 is checked, check either box (a) or (a)</li> </ol>	ving replies: (1) an amendment, affitice of Appeal (with appeal fee) in a see with 37 CFR 1.114. The reply must of the final rejection.  Idvisory Action, or (2) the date set forth after than SIX MONTHS from the mailing (b). ONLY CHECK BOX (b) WHEN THE	idavit, or other evider compliance with 37 C ust be filed within one in the final rejection, who date of the final rejecti	nce, which FR 41.31; or (3) of the following ichever is later. In on.
TWO MONTHS OF THE FINAL REJECTION. See MPEP 70 Extensions of time may be obtained under 37 CFR 1.136(a). The date		36(a) and the appropria	to extension for
have been filed is the date for purposes of determining the period of ext under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the s set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	tension and the corresponding amount shortened statutory period for reply orig than three months after the mailing da	of the fee. The appropri inally set in the final Offi	iate extension fee ce action; or (2) as
<ol> <li>The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter a Notice of Appeal has been filed, any reply must be filed AMENDMENTS</li> </ol>	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of th	ns of the date of ee appeal. Since
3. The proposed amendment(s) filed after a final rejection, I	but prior to the date of filing a brief,	will not be entered b	ecause
<ul> <li>(a) ☐ They raise new issues that would require further core</li> <li>(b) ☐ They raise the issue of new matter (see NOTE below)</li> <li>(c) ☐ They are not deemed to place the application in betom</li> </ul>	nsideration and/or search (see NO w);	TE below);	
appeal; and/or (d) They present additional claims without canceling a one NOTE: (See 37 CFR 1.116 and 41.33(a)).	corresponding number of finally rej	ected claims.	
4. The amendments are not in compliance with 37 CFR 1.12	21 See attached Notice of Non-Co	mnliant Amendment	(PTOL-324)
5. Applicant's reply has overcome the following rejection(s):		impliant Amendment	(I TOL-324).
Newly proposed or amended claim(s) would be all non-allowable claim(s).		timely filed amendme	ent canceling the
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is proved the status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected:		ll be entered and an e	explanation of
Claim(s) withdrawn from consideration:			
AFFIDAVIT OR OTHER EVIDENCE			
<ol> <li>The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e).</li> </ol>	t before or on the date of filing a No d sufficient reasons why the affidav	otice of Appeal will <u>no</u> rit or other evidence is	ot be entered s necessary and
<ol> <li>The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary</li> </ol>	vercome <u>all</u> rejections under appear y and was not earlier presented. S	al and/or appellant fai ee 37 CFR 41.33(d)(1	ls to provide a 1).
<ol> <li>The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER</li> </ol>			
<ol> <li>The request for reconsideration has been considered bu <u>See Continuation Sheet.</u></li> </ol>			nce because:
<ul><li>12. ☐ Note the attached Information Disclosure Statement(s).</li><li>13. ☐ Other:</li></ul>	(PTO/SB/08 or PTO-1449) Paper N	lo(s)	

U.S. Patent and Trademark Office PTOL-303 (Rev. 7-05) Continuation of 11. does NOT place the application in condition for allowance because: The cite prior art still discloses the claimed invention. The assessed risk a synonomous with probability. If the risk is over a certain amount a warning is issued to the pilot. The assertion that the terrain information provided for approach to airports will not include restricted airspace is not convincing. The prior art also discloses avoiding collisions and the area around other aircraft would be restricted airspace.

THOMAS G. BLACK
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